| [~] 6132 | regan Trus Deod Series. | STEVENS NESS LAW PUS. CO.: PORTLAND, CR. |
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| | | Vol. <u>ma9</u> Page <u>18965</u> |
| STATE OF OREGON. | FIDAVIT AS TO NON | I-OCCUPANCY |
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| County of KLAMATH | | |
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| being first duly sworn, depose, say and certify the | | |
| Larry V. Miller and Holly M. Thomps | on trustee in | that certain trust deed executed and delivered |
| to Mountain Title Company of Vlamet | LL O | |
| | Emmer 1. T. t. t. | d and wife as trust |
| County, Oregon, in book/reel/volume Na | , 19. <u>00</u> , in the | mortgage records of Klamath |
| tion No (indicate which), covering | the following dossib | or as fee/file/instrument/microfilm/rece |
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CERTIFICATE OF NON-MILITARY SERVICE

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STATE OF OREGON,

ni.

County of KLAMATH

N No. 972-CIETIFICATE OF NON-MILITARY SERVICE-

THIS IS TO CERTIFY That I am the _____ Successor Trustee

| ARRY V. MILLER | and HULLY M. INUMPSON |
|---|---|
| beneficiary in that certain trust deed in which <u>LARRY V. MILLER</u> | |
| , as gran | IOF, CONVEYED ID |
| KLAMATH COUNTY on trustee certain real prop | erty in Klalld Lli County, Oregon; |
| August 3rd to 8 | 8 August 16 10 88 |
| which said trust deed was dated | 0, and recorded 13256 |
| KLAMATH COUNTY , as trustee, certain real prop which said trust deed was dated <u>August 3rd</u> 19.8 in the mortgage records of said county, in book/reel/volume M-8 | at page |
| In the more goge records of 90418 (indicate which): thereafte | r a notice of default with respect to said trust deed |
| microfilm/reception No | M-89 9214 |
| was recorded | ume |
| | o |
| said trust deed was duly foreclosed by advertisement and sale and sold at the trustee's sale on | d the real property covered by said trust deed was |
| said trust deed was duly foreclosed by auvertisement and sale un | the total property and the during the period of |
| sold at the trustee's sale on | I reasonably believe at no time during the period of |
| these months and one day immediately preceding the day of said s | ale and including the day thereof, was the real prop- |
| erty described in and covered by said trust deed, or any interest t | berein owned by a person in the military service as |
| erty described in and covered by said trust deed, or any interest in | neteni, owned by a person in the minitary officer |
| defined in Article I of the "Soldiers' and Sailors' Civil Relief Act of | of 1940," as amended. |

In construing this certificate the masculine includes the feminine, the singular includes the plural, the word "grantor" includes any successor in interest to the grantor, the word "trustee" includes any successor trustee, and the word "beneficiary" includes any successor in interest to the beneficiary named in said trust deed.

STATE OF OREGON, SS: Klamath County of October 89 This instrument was acknowledged before me on by Neal G. Buchanan VUTOME J. Hustead VIVIENNE I. HUSTEAD My commission expires <u>4-11-93</u> (SEAL) NOTARY PUBLIC-OREGON 12. 1 ounission Expires STATE OF OREGON CERTIFICATE 65 OF NON-MILITARY SERVICE County of I certify that the within instrument Re Trust Deed from was received for record on the day LARRY V. MILLER and of, 19....., at HOLLY M. THOMPSON IDON'T USE THIS Grantor o'clockM., and recorded SPACE; RESERVED FOR RECORDING in book/reel/volume on page MOUNTAIN TITLE COMPANY ABEL IN COUNTIES , or as feexfile/instrument/ WHERE USED.I OF KLAMATH COUNTY Trustee microfilm/reception No...... of the AFTER RECORDING RETURN TO Records of said County.

NAME

By.....Deputy

TITLE

18967

AFFIDAVIT OF SUPPLEMENTAL MAILING TRUSTEE'S NOTICE OF SALE

STATE OF OREGON, County of Klamath)ss:

I, NEAL G. BUCHANAN, being first duly sworn, depose, and say and certify that:

At all times hereinafter mentioned I was and now am a resident of the State of Oregon, a competent person over the age of eighteen yrears and not the beneficiary's successor in interest named in the attached original notice of sale given under the terms of that certain deed described in said notice.

After the completion of those certain mailings and services referred to in the contemporaneously filed documents, it was discovered that a State Tax Warrant had been recorded at Vol. M89, page 14205 on August 2, 1989.

Therefore, in accordance with ORS 86.742 (1), I gave notice of the sale of the real property described in the attached notice of sale by mailing a copy thereof by both First Class and Certified Mail with Return Receipt Requested to the following at their respective last known address, to-wit:

> OREGON DEPARTMENT OF REVENUE Linda Huetson, Revenue Agent 955 Center Street, Room 353 Salem, OR 97310

Each of the notices so mailed was certified to be a true copy of the original notice of sale by the undersigned as attorney for the trustee named in said notice; each such copy was contained in a sealed envelope, with postage thereon fully prepaid, and was deposited by me in the United States post office at Klamath Falls, Oregon, on September 6, 1989. With respect to each person listed above, one such notice was mailed with postage thereon sufficient for first class delivery to the address indicated, and another such notice was mailed with a proper form to request and obtain a return receipt and postage thereon in the amount sufficient to accomplish the same. Each of said notices was mailed after the notice of default and election sell described in said note of sale was recorded.

The mailing forwarded by certified mail was received by the Oregon Department of Revenue (at the State mail room) on September 7, 1989, as is more fully reflected by the return receipt, a true copy of which is attached hereto as Exhibit A.

As used herein, the singular includes the plural, trustee includes successor trustee, and person includes corporation and any other legal or commercial entity.

UWMAN

NEAL G. BUCHANAN

SUBSCRIBED AND SWORN to before me SEPTEMBER 12^{th} , 1989.

VIVIENNE I. HUSTEAD NOTARY PUBLIC-OREGON

My Commission Expires

Prevenue J. Hu Notary Public for Oregon ustead

My Commisson Expires: 4-11-93

| AFFIDAVIT OF SUPPLEMENTAL MAILING TRUSTEE'S NOTICE OF SALE | | STATE OF OREGON, County of |
|---|--|--------------------------------|
| RE: Trust Deed from Larry V. Miller & Holly M. Thompson to Mountain Title Company of Klamath County Grantor to NEAL G. BUCHANAN Trustee | IDON'T USE THIS SPACE; RESERVED FOR RECORDING LASEL IN COUNTIES WHERE USED.1 | was received for record on the |
| NEAL G. BUCHANAN Attorney at Law 601 Main St., Suite 215 Klamath Falls, OR 97601 | | County attixed. |

| Statutel: Complete Itoma 1 and 2 when adaptions a 9.3 and 4. Put your address in the "HETUEN TO" Space on the reven coard from being returned to you. The return recent for while to and the date of devery, for address loss the following for fees and check box(es) for additional service(a) request 1. EX Show to whom delivered, date, and addresses a ad (Chin charge) | e side, Feiture to do this will prevent this civile you the name of the percen delivered conjoes are evelopite. Consult postmenter ad | |
|--|--|--|
| 3. Article Addressed to: DREGON DEPARTMENT OF REVENUE | 4. Articta Number P 115 928 691 | |
| ATTN: Linda Huetson, Revenue Agent | Type of Service: X Rogistered Insured Certified COD Express Mell Return Receipt for Meropandise | |
| | Always obtain aignature of addresses or agent and DATE DELIVERED. | |
| 5. Signsture - Address | 8. Addresses's Address (ONLY () requested and fee poid) | |
| 6. Signature - Agens Magazil | Received by State Mailroom Agent at Main Post Office | |
| 7. Date of Delivery SEP 7 1989 | Agent at Main Franklin # 89-038 | |

EXHIBIT A

18969

Affidavit of Publication

STATE OF OREGON, COUNTY OF KLAMATH

I, <u>Deanna Azevedo</u>, Office Manager being first duly sworn, depose and say that I am the principal clerk of the publisher of the <u>Herald and News</u>

a newspaper of general circulation, as defined by Chapter 193 ORS, printed and published at Klamath Falls in the aforesaid county and state; that the _____

1

Lega1#974___

Trustee's Notice of Sale

a printed copy of which is hereto annexed, was published in the entire issue of said newspaper for <u>Four</u>

August 9, 1989

August 16, 1989

<u>August 23, 1989</u>

August 30, 1989

Total Cost: \$247.52 Diana Z (4)

Subscribed and sworn to before me this 30 August 89 day of Nctary Fublic of Oregon <u>ک</u>کر ا - 15/ My commission expirit

(COPY OF NOTICE TO BE PASTED HERE)

18970

Automatic is unsaling that or that that deed i made of the unsaling that or that that deed i made of the set of the set of the set of the from point of the set of the set of the set of the from point the set of the set of the set of the radius of the set of the set of the set of the from point of the set of the set of the from point of the set of the set of the from point of the set of the set of the from point of the set of the set of the from point of the set of the set of the from point of the set of the set of the from point of the set of the set of the from point of the set of the set of the from point of the set of the set of the from point of the set of the set of the from point of the set of the set of the from point of the set of the set of the from point of the set of the set of the set of the from point of the set of the set of the set of the from point of the set of the set of the set of the from point of the set of the set of the set of the from point of the set of the set of the set of the set of the from point of the set of the set of the set of the set of the from point of the set of the set of the set of the set of the from point of the set of the set of the set of the set of the from point of the set of the set of the set of the set of the from point of the set of the se INTERCONSTRUCTION OF THE ADDRESS OF We design the development shared in and county, we design better a portion of the SELVA NELVA of action 25. Commin 24. South, Ramon & East of We design the state of the second state of the second state of the second state of the second action 25. Commin 24. South, Ramon & East of the second state of the second state of the second state of the second state of the second action as a second state of the second state and the second state of the second state of the second state of the second state of the second and state of the second second state of the second and state of the second second state of the second and state of the second second state of the second second second second second second second of the second secon TELM: Reserve and loc of said SELM of the NE 1/4 particle with East loc of said SELM of the NE 1/4 particle with South line of the SELM of the NE 1/4 20 rest? to the South of Security.
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AFFIDAVIT OF MAILING TRUSTEE'S NOTICE OF SALE ON

LAW PUBLISHING CO., PORTI

18971

Deputy

AFFIDAVIT OF MAILING TRUSTEE'S NOTICE OF SALE

STATE OF OREGON, County of _____Klamath_____, ss:

I, NEAL G. BUCHANAN

At all times hereinafter mentioned I was and now am a resident of the State of Oregon, a competent person being first duly sworn, depose, and say and certify that: over the age of eighteen years and not the beneficiary or beneficiary's successor in interest named in the attached original notice of sale given under the terms of that certain deed described in said notice. I gave notice of the sale of the real property described in the attached notice of sale by mailing a copy thereof

by both first class and certified mail with return receipt requested to each of the following named persons (or their legal representatives, where so indicated) at their respective last known addresses, to-wit:

LARRY V. MILLER HOLLY M. THOMPSON

ADDRESS

P. O. Box 288 Crescent, OR 97733

Said persons include (a) the granic: in the trust deed, (b) any successor in interest to the grantor whose interest appears of record or of whose interest the trustee or the beneficiary has actual notice, (c) any person, including the Department of Revenue or any other state agency, having a lien or interest subsequent to the trust deed if the lien or interest appears of record or the beneficiary has actual notice of the lien or interest, and (d) any

, attorney for the trustee named in said notice; each such copy was contained in a sealed epvelope, with postage thereon fully prepaid, and was deposited by me in the United States post office at Klamath Falls, Oregon, cn. May A. (2010), 1989 With respect to each person listed above, one such notice was mailed with postage thereon sufficient for first class delivery to the address indicated, and another such notice was mailed with a proper form to request and obtain a return receipt and postage thereon in the amount sufficient to accomplish the same. Each of said notices was mailed after the notice of default and election to sell described in said notice of sale was recorded As used herein, the singular includes the plural, trustee includes successor trustee, and person includes corpo-

| ration and any other legal or commercial | e piurai, trustee/includes | kurracion in all |
|---|---|--|
| Subscritter and short to before the this | 26 | NEAL G. BUCHANAN |
| (SEAL) FUBLIC-OREGON | Viirenne | May , 19 89 Hustea A. |
| • More than one form of attidavit may be used when the part PUBLISHER'S NOTE: An original notice of the sale, bear | ties are numerous or when the r | My commission expires. 4-11-93 |
| the sale, beari | ng the trustee's actual sides | die dale. |
| PUBLISHER'S NOTE: An original notice of the sale, beari AFFIDAVIT OF MAILING TRUSTEE'S NOTICE OF SALE | actual signa | STATE OF OREGON |
| RE: Trust Deed from ARRY V. MILLER and HOLLY M. HOMPSON | | ounty of |
| Grantor Countain Title Co. ^{TO} of Klamath Co. Eal G. Buchanan as Successor Trustee | (DON'T USE THIS SPACE: RESERVED FOR RECORDING LABEL IN COUN. TIES WHERE USED.) | in book/reel/volume Noon pageor as fee/file/instru- ment/microfilm/reception No, Record of Mortgages of said County |
| AFTER RECORDING RETURN TO NEAL G. BUCHANAN Attorney at Law 601 Main Street, Suite 215 Klamath Falls, OR 97601 | | Witness my hand and seal of County affixed. |

FORM No. 1170-AFFIDAVIT BE 120 DAY SERVICE ON OCCUPANT-Orsen Tret Deed Series

giland.

| INSTRUCTIONS FOR SERVICE OF TRUSTEE'S NOTICE OF SALE UPON OCCUPANT |
|--|
| AND PROOF OF SERVICE RUSTEE'S INSTRUCTIONS to the person who serves the Trustee's Notice of Sale attached hereto: |
| TATE OF OREGON |
| County of Klamath |
| I, the undersigned, being first duly sworn, depose and say: I am the Trustee or attorney for the Torney for the Torney of the Torney for the |
| I am the Trustee or attorney for the Trustee in the trust deed described in the attached Trustee's Notice of ale. |
| You are hereby directed to serve the Trustee's Notice of Sale in the manner in which a summons is served ursuant to ORCP 7D.(2) and 7D.(3), upon the occupant of the property described in said Notice of Sale. The name of the person to be served, if known, and the property address of the property described in said ust deed, are as follows: |
| ust deed, are as follows: NAME OF PERSON TO BE SERVED THE COMMENCING AND PROPERTY ADDRESS (If unknown, so state) |
| Decupant P.O. Box 288 |
| Crescent, OR 97733 |
| (a) (anthe such such equal provides of the recently to the second s |

If the occupant is indicated as "unknown", or it you find the property at said address to be occupied by other than the person named, then you are instructed to serve the person or persons whom you find to be occupying said property.

Service should be made by <u>June 6</u>, 19.89, which is 120 days before the date fixed for the sale in the attached notice. If you have not made service by that date, and the property appears occupied, persist in making service until it has been accomplished.

As used herein, the singular includes the plural, trustee includes successor trustee, and person includes corporation and any other legal or commercial entity.

| | III A FAX II A |
|--|--|
| The Alter of Statistical and the state of th | full suchanan |
| | SUZCESSOR KAMAXXXXXXTrustee |
| SVANDANIBALI HUSTHADefore ne t | his 26 day of May , 1989 |
| My Commission Expires | Clevienne D. Husterd |
| (SEAL) N | otary Public for Oregon. My commission expires: 4-11-93 |
| | earing the trustee's actual signature, should be attached to the foregoing allidavit. |
| TRUSTEE'S INSTRUCTIONS AND PROOF OF | 212/315/294-24-6-13-22-44-48-44-44-44-44-44-44-44-44-44-44-44- |
| SERVICE UPON OCCUPANT OF TRUSTEE'S NOTICE OF SALE (120-Day Notice (per ORS 66,750(1)) | STATE OF OREGON, Sounty of |
| RE: Trust Deed from LARRY V: MILLER and HOLLY M. | I certify that the within instru- ment was received for record on the |
| THOMPSON | |
| Grantor | BPACE RESERVED watch in book/reel/volume No |
| TO Mountain Title Car af Vlandu a | 11 June 110 |
| Mountain Title Co. of Klamath Count | |
| Neal G. Buchanan as successon and a Trustee | Record of Mortgages of said County. |
| AFTER RECORDING RETURN TO ATTACK | Witness my hand and seal of |
| Neal G. Buchanan | ton v secondar of the second state ton and the second seco |
| LUN LUN | NAM# |
| 601 Main St., Suite 215 Klamath Falls, OR 97601 | By |
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| 0124344 54 50012 1amath Falls, 08 97601 | PROOF OF SERVICE |
|---|--|
| FLUDING OF THE STATE | PROOF OF SERVICE 1897; |
| and a resident of the state wherein the | t at all times herein mentioned I was and now am a competent person 18 years of age e service hereinalter set forth was made; that I am not the beneficiary or trustee name hed hereto; nor the successor of either, nor an officer, director, employee of or attorney of ther; corporate or otherwise; |
| beneficiary or trustee, or auccessor of a | hed hereto; nor the successor of either nor an inter a competent person 18 years of age |
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| C | SUANT, TO OBS 86.740 AND PROOF OF SERVICE |
| TRUSTEE'S INSTRUCTIONS to the person who serves the T | rustee's Notice of Sale attached hereto: |
| STATE OF OREGON | |
| County ofKlamath | |
| | a na shekara na shekar Ye ta shekara na shekara |
| I am the Trustee or attorney for the Trustee in the trust | |
| Sale. You are hereby directed to serve the Trustee's Notice o | of Sale in the manner in which a summons is serv |
| pursuant to ORCP 7D.(2) and 7D.(3); upon the following person NAME OF PERSON TO BE SERVED | ADDRESS |
| LARRY V. MILLER and HOLLY M. THOMPSON | |
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| Said persons include (a) the grantor in the trust deed, | the support in interact to the drantor wh |
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TRUSTEE'S NOTICE OF SALE- Oregon Trust Deed Series 18976 STEVENS-NEES LAW Reference is made to that certain trust deed made by LARRY V. MILLER and HOLLY M. THOMPSON, not as tenants in common, but right of survivorship MOUNTAIN TITLE COMPANY OF KLAMATH COUNTY (NEAL G. BUCHANAN, atty, as successor), trustee, in favor of ______HAROLD FRANKLIN & IMAGENE J. FRANKLIN, husband and wife, or survivor as beneficiary, as beneficiary, TRUSTEE'S NOTICE OF SALE dated _____August 3_____, 1988 ..., recorded ____August 16

as fee/file/instrument/microfilm/reception No. 90418 (indicate which), covering the following described real property situated in said county and state, to-wit: A portion of the SE1/4 NE1/4 of Section 25, Township 24 South, Range8 East of the Willamette Meridian, Klamath County, Oregon, more particularly described as follows:

Beginning at a point 220 feet West and 690 feet North of the SE corner of SE1/4 of the NEI/4 of Section 25, Township 24 South, Range 8 East of the Willamette Meridian; thence

North parallel with East line of said SE1/4 of the NE1/4 200 feet; thence (Cont.on Reverse Both the beneficiary and the trustee have elected to sell the said real property to satisfy the obligations secured by said trust deed and a notice of default has been recorded pursuant to Oregon Revised Statutes 86.735(3); the default for which the foreclosure is made is grantor's failure to pay when due the following sums:

- A. The monthly payments due January 15, 1989, in the amount of 131.73
 - together with a like amount due the 5th day of each month thereafter.
- B. Real property taxes for the tax year 1988-89 in the amount of 162.53,

By reason of said default the beneficiary has declared all sums owing on the obligation secured by said trust deed immediately due and payable, said sums being the following, to-wit:

A. \$5,920.07 plus interest on said sum at the rate of 10% per annum from 1/11/89.

B. Real property taxes for tax year 1988-89 in the amount of 162.53, plus interest.

auction to the highest bidder for cash the interest in the said described real property which the grantor had or had power to convey at the time of the execution by him of the said trust deed, together with any interest which the grantor or his successors in interest acquired after the execution of said trust deed, to satisfy the foregoing obligations thereby secured and the costs and expenses of sale, including a reasonable charge by the trustee. Notice is further given that any person named in ORS 86.753 has the right, at any time prior to five days before the date last set for the sale, to have this foreclosure proceeding dismissed and the trust deed reinstated by payment to the beneficiary of the entire amount then due (other than such portion of the principal as would not then be due had no default occurred) and by curing any other default complained of herein that is capable of being cured by tendering the performance required under the obligation or trust deed, and in addition to paying said sums or tendering the performance necessary to cure the default, by paying all costs and expenses actually incurred in enforcing the obligation and trust deed, together with trustee's and attorney's fees not exceeding the amounts provided by said ORS 86.753.

In construing this notice, the masculine gender includes the feminine and the neuter, the singular includes the plural, the word "grantor" includes any successor in interest to the grantor as well as any other person owing an obli-gation, the performance of which is secured by said trust deed, and the words, "trustee" and "beneficiary" include their

DATED May 26 , 19.89

Attorney for said Trustee

Successor Trustee

State of Oregon, County of ...

I, the undersigned, certify that I am the attorney or one of the attorneys for the above named trustee and that the foregoing is a complete and exact copy of the original trustee's notice of sale.

If the foregoing is a copy to be served pursuant to ORS 86.740 or ORS 86.750(1), fill in opposite the name and address of party to be served.

SERVE.



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